IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS TYLER DIVISION

	§	
SFA SYSTEMS, LLC,	§	
	§	Case No. 6:09-CV-340
Plaintiff,	§	[Lead Case]
	§	
v.	§	Consolidated with
	§	
1-800-FLOWERS.COM, INC., et al.,	§	Case No. 6:11-cv-399
	§	
Defendants.	§	
	§	

ORDER

Before the Court is Plaintiff SFA Systems, LLC's Motion for Voluntary Dismissal with Prejudice of its Action Against Newegg, Inc. and Dismissal with Prejudice of Newegg's Counterclaims for Declaratory Judgment for Lack of Subject Matter Jurisdiction (Docket No. 453). Having considered the Motion and related briefing, the Court hereby **GRANTS** the Motion **IN PART** and **DENIES** the Motion **IN PART**.

SFA's claims and Newegg's counterclaims in this action are hereby **DISMISSED WITH PREJUDICE**. SFA's Motion to deny Newegg its costs and fees is **DENIED WITHOUT PREJUDICE**. Newegg is **GRANTED** leave to file its bill of costs and motion for fees within 14 days of this order.

So ORDERED and SIGNED this 20th day of September, 2013.

